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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/667,822

09/22/2003

Siegfried Beisswenger

P03,0327

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01/27/2005

SCHIFF HARDIN, LLP  
PATENT DEPARTMENT  
6600 SEARS TOWER  
CHICAGO, IL 60606-6473

EXAMINER

EVANISKO, LESLIE J

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/667,822	<b>Applicant(s)</b> BEISSWENGER, SIEGFRIED	
	<b>Examiner</b> Leslie J. Evanisko	<b>Art Unit</b> 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-22, 24 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-13, 15-17, 20, 22, 24 and 25 is/are allowed.
- 6) ☒ Claim(s) 1-10, 18, 19 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12-13-2004</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-5, 18, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Morgan (US 5,221,562). Morgan teaches a method of producing a print block for rotogravure comprising applying a chromium layer 6 (i.e., coating layer including chromium material as described in column 4, lines 41-57) to a print block as an engraving surface, and by use of a laser beam, engraving cups 8 in the chromium layer engraving surface. See, in particular, column 1, lines 10-14 and column 4, lines 41 through column 5, line 64, as well as Figures 1-4. Note that Morgan teaches it is well known in the art that differing volumes of the engraved cups of a gravure roll determine differing corresponding tone values in column 1, line 66 through column 2, line 8.

With respect to claims 3-4 and 21, Morgan teaches providing the chromium coating layer with a predetermined roughness in column 4, lines 1-5, and column 5, lines 15-19 and 53-64.

With respect to claim 5, note column 5, lines 39-49.

With respect to claim 18, note Morgan teaches a rotogravure print block including a core 4, chromium layer 6 over the core, and laser engraved cups 8 in the chromium layer.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan (US 5,221,562) in view of Drozhin et al. (SU 1729504 A1). Morgan teach a print block and method as recited with the possible exception of the chromium layer being applied galvanically. Note that Morgan teach the chromium layer is applied using plasma spray or detonation gun coating processes in column 4, lines 58-61. Regardless, Drozhin et al. teach it is well known in the art to galvanically deposit a chromium layer onto a substrate. In view of this teaching, it would have been obvious to one of ordinary skill in the art to galvanically apply the chromium layer as taught by Drozhin et al. onto the core of the print block of Morgan as it would simply

require the obvious substitution of one known chromium coating process for another to allow for a print block that provides clear printing.

5. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosa (US 6,113,472) in view of Morgan (US 5,221,652). Rosa teach a method of printing including providing a print block with a pattern, inserting the print block into a printing machine and using the print block to print. Although Rosa does not teach providing the particular print block construction as recited, note that Morgan teaches providing a gravure print block having a core and applying a chromium containing layer on the block and laser beam engraving cups into the chromium layer. See column 1, lines 10-14. Again, note Morgan teaches it is well known in the art that differing volumes of the engraved cups of a gravure roll determine differing corresponding tone values in column 1, line 66 through column 2, line 8. In view of this teaching, it would have been obvious to one of ordinary skill in the art to use the block as taught by Morgan in the printing method of Rosa to provide a print block with improved wear life.

With respect to claim 7, note Rosa removing the chromium layer from the print block after completion of printing is well known in the art.

With respect to claims 8-9, Morgan teaches providing the chromium coating layer with a predetermined roughness in column 4, lines 1-5, and column 5, lines 15-19 and 53-64.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rosa in view of Morgan as applied to claims 6-9 above, and further in view of Drozhin et al. (SU 1729504 A1). Rosa in view of Morgan teach a method as recited with the possible exception of the chromium layer being applied galvanically. Note that Morgan teach the chromium layer is applied using plasma spray or detonation gun coating processes in column 4, lines 58-61. Regardless, Drozhin et al. teach it is well known in the art to galvanically deposit a chromium layer onto a substrate. In view of this teaching, it would have been obvious to one of ordinary skill in the art to galvanically apply the chromium layer as taught by Drozhin et al. onto the core of the print block of Rosa as modified by Morgan as it would simply require the obvious substitution of one known chromium coating process for another to allow for a print block that provides clear printing.

***Allowable Subject Matter***

7. Claims 11-13, 15-22, and 24-25 are allowed.

***Response to Arguments***

8. Applicant's arguments filed November 8, 2004 have been fully considered but they are not persuasive of any error in the above rejections.

Applicant argues that claims 1, 6, and 18 distinguish over Morgan in that Morgan does not teach the differing volumes of the rotogravure cups determine the tone values. In particular, applicant argues that the cylinder of Morgan is an anilox roll which is a liquid transfer roll that transfers uniform liquid volume over the entire surface of the roll. Therefore, since the roll of Morgan includes wells having the same volume so that the same amount of ink is provided in each well, it does not provide differing volumes of the engraved cups.

However, the Examiner disagrees with this argument. In particular, it is the Examiner's position that the liquid transfer roll of Morgan can be a gravure roll as supported by the teaching of Morgan in column 3, lines 40-50. Additionally, Morgan also teaches that differing volumes of the engraved cups of a gravure roll results in a different amount of ink transfer (i.e., different tone values) in column 1, lines 50-54 and column 5, lines 20-38. Therefore, Morgan alone or in combination with the other cited references, teach the method and print block as recited.

In view of the above reasoning, the Examiner is not persuaded of any error in the above rejections.

### **Conclusion**


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone

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number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Leslie J. Evanisko  
Primary Examiner  
Art Unit 2854

lje  
January 21, 2005